उच्चाधिकार समिति ने सिफारिश की है कि इस सबको पहले से ही विद्यमान योजना में शामिल करने के बजाए एक विशेष पैकेज में प्रदान करना वांछनीय होगा। इसे प्रतिबद्धता तथा उत्साह की भावना से भी किया जाना चाहिए। राजस्थान सरकार को इन सिफारिशों के संदर्भ में कार्रवाई करने की आवश्यकता है।

ST status for Gujjars

†*244. SHRI LALIT KISHORE CHATURVEDI:††
DR. GYAN PRAKASH PILANIA:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) whether a high level committee had been set up, under the Chairmanship of Justice Shri Jasraj Chopra, to consider the demand of Gujjars, after the agitation for Gujjar reservation in Rajasthan;

(b) whether the report of the Committee has been sent to the Central Government by the Rajasthan Government;

(c) if so, the main recommendations of the Committee, alongwith the action being taken thereon; and

(d) whether Justice Chopra has stated that the norms for giving Schduled Tribe status are no longer applicable and are required to be reconsidered?

THE MINISTER OF TRIBAL AFFAIRS (SHRI P.R. KYNDIAH): (a) to (d) A Statement is laid on the table of the House.

Statement

(a) Yes, Sir. In view of persistent demand of the Gujjar community for inclusion in the notified list of Scheduled Tribes, the Government of Rajasthan has constituted a High Powered Committee headed by Justice (Retd.) Jasraj Chopra to examine the matter in detail and to submit its report.

(b) A copy of the report of the High Powered Committee headed by Justice (Retd.) Jasraj Chopra has been sent to the Ministry of Tribal Affairs by the State Government of Rajasthan in December, 2007.

(c) and (d) In its main recommendations the High Powered Committee has advised the Government of Rajasthan to (1) take the matter to the Government of India to abrogate the criteria used so far to include any class of people in the fold of Scheduled Tribes, as these have become obsolete and outdated. These should be replaced by quantifiable criteria that are relevant in the present context. The criteria should be such that they could stand judicial scrutiny and enable future Commissions or Committees appointed by the Government to examine the issue with exactitude and reliability; and

(2) take immediate steps to set up a Board for Underdeveloped and Inconvenient Areas to attend to the problems faced by the people living a life of abject poverty in inaccessible, remote, and inconvenient areas such as ravines, Dangs and Chhinds, forests and hills—where development has not yet reached. These are the areas where most of the backward

†Original notice of the question was received in Hindi.
††The question was actually asked on the floor of the House by Shri Lalit Kishore Chaturvedi.

amongst the Gujjars reside, and for whom their community leaders raised their voice. Development of such areas should not wait for the outcome of a classificatory exercise. For this purpose, the Government should benevolently allocate sizeable funds for a reasonable period of time by reprioritizing its developmental activities. Emphasis will have to be laid on (i) building roads to link these communities with the mainstream; (ii) motivating the children of these families to get educated; (iii) improving health and hygiene of the communities through provision of drinking water, immunization against major illnesses and better health care of children and of the aged.

The High Powered Committee has also recommended that it would be desirable to provide all this in a special package, rather than to insert them in the already existing schemes. Also, this must be done with a sense of commitment and good zeal. The Government of Rajasthan is required to take action in terms of these recommendations.

श्री ललित किशोर चतुर्वेदी: माननीय सभापति महोदय, भारत सरकार का जो जनजातीय कार्य मंत्रालय है, उसकी जो प्रकाशित नेशनल ट्राइबल पॉलिसी है, उसमें अनुसूचित जाति, जनजाति घोषित करने के चार क्राइटिरिया दिए हैं–primitive traits, distinctive culture, shyness of contact and backwardness. ये भी कहा उन्होंने कि even all these broad criteria are not applicable to Scheduled Tribes today. महोदय, चोपड़ा समिति ने जिस बात को कहा है कि सरकार भी कहती है कि आरक्षण नीति में जो आज विषय है, उसमें क्राइटीरिया ऐप्लिकेबल नहीं है। मैं आपके माध्यम से मंत्री जी से पूछना चाहता हूं कि इसको आप कब रिव्यू करेंगे और रिव्यू करने में देरी क्यों हो रही है? बड़े आश्चर्य का विषय है कि क्राइटीरिया कुछ और है, शैडयूल्ड कास्ट की ट्राइब्स में जो सूची है, उसमें कुछ और है। यह आप मान रहे हैं, चोपड़ा समिति भी मान रही है, लेकिन रिव्यू नहीं कर रहे। मंत्री जी, मैं यह पूछना चाहता हूं कि आप इसे कब रिव्यू करेंगे और रिव्यू देरी से करने के कारण क्या है?

SHRI P.R. KYNDIAH: Sir, the quesetion of the hon. Member is irrelevant in the sense that in the draft National Policy of the Ministry, we have also included, as has been suggested, that it should be reviewed. Now, in this regard, I could only say that the matter was placed before the Cabinet; it is now referred to the GoM, the Group of Ministers, and we are considering a format on the criteria to schedule a community. In due time, we will be able to come to a conclusion.

श्री ललित किशोर चतुर्वेदी: सभापति महोदय, मेरा दूसरा सवाल यह है कि आज जो जातियां अनुसूचित जनजातियों की सूची में हैं, शायद उनसे खराब स्थिति गुर्जर समाज की है। शैक्षणिक दृष्टि से, सामाजिक दृष्टि से, आर्थिक दृष्टि से और इसीलिए उन्होंने मांग की है कि हमको अनुसूचित जनजाति में शामिल किया जाए। एक तरफ यह स्थिति बन गई कि एक बहुत बड़ा आन्दोलन हो गया और आज जो क्राइटीरिया है, उसको आप बदलना चाहते हैं, जैसा कि आपने कहा। मैं आपसे ही पूछना चाहता हूं कि चोपड़ा समिति की रिपोर्ट का एक भाग तो आपने स्वीकार कर लिया, उस पर काम भी किया और दूसरे के अनुसार आप राज्य सरकार पर डालकर इसे टालना चाहते हैं कि गुर्जर समाज के आरक्षण की चर्चा आप करो, उनको पैकेज दे दो? मेरा आपसे निवेदन है कि इसको फुटबाल मत बनाइए। केवल राजस्थान में ही आन्दोलन नहीं हुआ है, सारे देश के गुर्जर आन्दोलित हैं और निश्चित रूप से उनकी स्थिति इसी प्रकार की है। मैं आपसे कहना चाहता हूं कि अपने स्तर पर निर्णय लीजिए और गुर्जर समाज को, जो अत्यंत पिछड़ा समाज है–आर्थिक दृष्टि से, शैक्षणिक दृष्टि से, उसको अनुसूचित जनजाति का दर्जा देने की कृपा करिए, देरी मत करिए, यह मेरा आपसे निवेदन है।

SHRI P.R. KYNDIAH: Mr. Chairman, I would like to be very clear, absolutely clear, that in so far as the Government of Rajasthan is concerned, they have not written to us for the inclusion of the Gujjar community in the Scheduled Tribe category. In the first place, unless the Government of Rajasthan writes to us recommending and justifying it, we cannot take it into consideration.

DR. GYAN PRAKASH PILANIA: Sir, my specific question is, whether Gujjars have a significant population in various States and their status also differs from State to State. If so, what are the statistics in regard to their status, State-wise and whether in this light, the demand of Gujjars for ST status has an all-India ramification and hence, should be dealt with by the Centre instead of throwing the ball in the court of Rajasthan State and if so, whether their demand is justified or not. It is a very specific question, Sir, and I expect a specific reply.

SHRI P.R. KYNDIAH: Mr. Chairman Sir, I would like to make it absolutely clear that in so far as the Gujjar community is concerned. They are recognized as Scheduled Tribes in the States of Himachal Pradesh and Jammu and Kashmir. The scheduling of any community comes under the State Government. It is given in the Constitution. We cannot say that if a particular community is recognized as a Scheduled Tribe in one State, it should also be recognized in the other State. The Government of Rajasthan has to write to us directly. Why should they avoid this issue. Let them write to us directly, recommend it and justify it, and then I will take it into consideration.

SHRI JESUDASU SEELAM: Sir, we have been seeing a gradual process of inclusion of communities into the list of Scheduled Tribes. But the Constitution provides that there should be a proportional percentage of reservation. While we are increasing and adding a number of communities to the list of Scheduled Tribes, we are not proportionately increasing their share in the reserved category. Would the hon. Minister be kind enough to say how he can rectify it? There is a provision for it which is proportional to their population. I am asking this because the real tribes are getting marginalized because of inclusion of newer communities into the Scheduled List.

SHRI P.R. KYNDIAH: Mr. Chairman, on this question, I share the concern of the hon. Member. But it is a very simple matter. Unless and until any State Government writes to us, recommends it and justifies it, we cannot take this into consideration.

SHRI SANTOSH BAGRODIA: Sir, the hon. Minister has replied to the question of Mr. Pilania. I just want to extend it further, If you explain us the correct procedure how any tribe is included in the ST List, it will clarify our points and we will follow it.

SHRI P.R. KYNDIAH: I am happy that the hon. Member has raised this question. We have a procedure for considering proposals of inclusion of communities in the ST list. Firstly, we must have in our possession the recommendation and justification for it by the State Government to us. This is number one. Two, it had to be cleared by the RGI. Three, it had to be cleared by the National Commission for Scheduled Tribes. After that, it comes to my Ministry. We consider it and then we come to the House.

श्री रामदास अग्रवाल: सभापति जी, माननीय मंत्री जी ने अभी यह कहा कि अगर कोई राज्य सरकार इनसे किसी जाति को अनुसूचित जनजाति में शामिल करने के लिए सिफारिश करेगी, तो वे उस पर विचार करेंगे। सभापति जी, मैं मंत्री जी को याद दिलाना चाहता हूं कि 1982 में यानी आज से 25 साल पहले राज्य सरकार ने दो जातियों को जनजातियों में शामिल करने के लिए सिफारिश की थी, लेकिन आज तक उनको जनजातियों में शामिल नहीं किया गया है, क्योंकि यह कहा जा रहा है कि वे उस criteia में नहीं आतीं। क्या केन्द्र सरकार यह वायदा करने को तैयार है कि criteria बदले या न बदले, यदि राज्य सरकार, गुर्जरों की सिफारिश करेगी, तो आप उनको जनजातियों में शामिल करेंगे, क्योंकि इन लोगों को 25 सालों से आपने वंचित रखा है, फिर आप जान-बूझकर राज्य सरकारों पर इसका बोझ डालना चाहते हैं कि वे recommend करेंगे, तब होगा। जिनको recommend किया गया, उनके भाग्य का भी फैसला अभी तक नहीं हुआ है। सभापति जी, 25 साल हो गए हैं और ये दो छोटी-छोटी जातियां हैं–सारा जाति और

बंजारा जाति, जिनकी पापुलेशन मुश्किल से डेढ़ लाख है, उन लोगों को भी इन्होंने अभी तक जनजातियों में शामिल नहीं किया है। इसलिए मंत्री जी का यह कहना गलत है कि अगर राज्य सरकार की सिफारिश आएगी, तभी वे आगे काम करेंगे। वे ठीक प्रकार से सदन में अपनी बात को नहीं रख रहे हैं। मैं चाहता हूं कि वे commit करें कि यदि राज्य सरकार सिफारिश करती है, तो वे इन जातियों को जनजातियों में शामिल करेंगे ...(व्यवधान)... राजस्थान में इस मामले को लेकर ये लोग राजनीति कर रहे हैं और जनता को यह कह रहे हैं कि ...(व्यवधान)...

श्री सभापति: आप अपना सवाल पूछ चुके हैं ...(व्यवधान)...

श्री रामदास अग्रवाल: मैंने इसलिए यह बात कही है, क्योंकि राज्य सरकार ने इस आंदोलन को लेकर बहुत ज्यादा तकलीफ उठाई है, इसमें पचास लोग मरे हैं ...(व्यवधान)...

श्री सभापति: आपने सवाल पूछा है, उसका जवाब सुन लीजिए ...(व्यवधान)...

श्री रामदास अग्रवाल: वहां आंदोलन हुआ है और वह इस प्रकार का उद्वेलित आंदोलन है, जिसके कारण सब परेशान हो रहे हैं ...(व्यवधान)...

MR. CHAIRMAN: This is not correct ...(*Interruptions*)...

SHRI P.R. KYNDIAH: Mr. Chairman, Sir, I can only say that the hon. Member from this side has asked a question about the procedure. I have clearly and implicitly spelt out the procedure. The State Government has to recommend and justify and move on. It has to be cleared by the Registrar General of India. ...(*Interruptions*)...

श्री रामदास अग्रवाल: मंत्री जी इस मामले को केवल ठेल रहे हैं कि राज्य सरकार इसको बंद करे ...(व्यवधान)...

MR. CHAIRMAN: Please don't interfere ...(*Interruptions*)... Please don't interfere ...(*Interruptions*)... Thank you very much.

श्री रामदास अग्रवाल: महोदय, कांग्रेस गवर्नमेंट के टाइम की recommendation है ....(व्यवधान)... महोदय, कांग्रेस गवर्नमेंट के टाइम की यानी 1982 की recommendation है ...(व्यवधान)... श्री माथुर की recommendation है, जिसमें इन दो जातियों को शामिल करने की सिफारिश है ....(व्यवधान)...

*245.[The questioner (Shri Bhagirathi Majhi) was absent. For answer *vide* page .... infra.]

*246.[The questioner (Shri T.T.V. Dhinakaran) was absent. For answer *vide* page .... infra.]

MR. CHAIRMAN: Q. No. 247 ...(*Interruptions*)... Please allow the question to be answered ...(*Interruptions*)... Your questions have been answered ...(*Interruptions*)... Agarwal Saheb, please resume your place ...(*Interruptions*)... Your questions have been answered ...(*Interruptions*)... This is not fair. I would request the hon. Members to resume their places and allow the next Question No. 247 to be answered. Enough questions have been answered on Question No. 244 ...(*Interruptions*)...

SHRI S.S. AHLUWALIA: Sir, I need your protection.

MR. CHAIRMAN: I think, right now, the Chair needs your protection ...(*Interruptions*)...

SHRI S.S. AHLUWALIA: Sir, the hon. Member has asked a very pointed question. But the Minister has not answered the same ...(*Interruptions*)...

MR. CHAIRMAN: Mr. Ahluwalia, please resume your place ...(*Interruptions*)... Enough has been said on Question No. 244 ...(*Interruptions*)... One minute please. I have understood the Question, I have understood the answer and I have understood the procedure. I think the larger political debate will go on. But this was a specific question which was answered.